HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

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Writ Petition No. 14424 of 2005

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Dated: 28th November, 2005

Between:

1. Guda Peda Mallaiah S/o.Venkaiah, R/o.Kothuru (Village),

Khammam Rural Mandal, Khammam District and others.

..... PETITIONERS

AND

1.District Collector, Khammam and others.

.....RESPONDENTS

HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No.14424 of 2005

ORDER:

This writ petition has been filed by the petitioners, who are 30 in number, assailing the inaction of the respondents in not considering their representation for assignment/allotment of land.

2. Heard learned counsel appearing for the petitioners and learned Government Pleader for Revenue appearing for the respondents.

3. It is the case of the petitioners that the government acquired their land for removing earth for being used in the construction of NSP canals. It is their further case that after constructing the canals, the lands acquired are kept open and therefore, the petitioners continued to cultivate the same and thus, some of the

petitioners filed applications before the authorities for assignment of the said lands. Since there is no action on the part of the concerned authorities in considering their applications, they have chosen to approach this Court by invoking the jurisdiction under Article 226 of the Constitution of India.

4. A fact remains that compensation was paid by the government for the lands in question. In which case, the possession of the petitioners, if any, cannot be categorized as authorized. Whatsoever, some of the petitioners submitted applications to consider their cases for assignment along with eligible persons.

5. In that view of the matter, I deem it appropriate to dispose of the writ petition directing the respondents to consider the case of the petitioners along with other eligible persons for assignment of land, if at all there is any such move.

6. Learned counsel appearing for the petitioners submits that some of the petitioners have not submitted any applications before the respondent-authorities and therefore, seeks permission to those petitioners to file the applications before the respondent-authorities.

7. In view of the submission made by the learned counsel appearing for the petitioners, the petitioners, who have not filed the applications, are permitted to submit their applications before the respondent-authorities and thereupon the respondent-authorities shall consider their applications along with the other eligible persons and pass appropriate orders.

8. With the above observations, this writ petition is disposed of.

No costs.

B.SESHASAYANA REDDY, J.

Date: 28th November, 2005.

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